IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.33729 of 2008

1. Md. Sado, son of Jahuruddin
2. Bibi Jasia Khatoon, w/o Md. Sado
3. Md. Yusuf, son of Md. Jahuruddin
4. Bibi Sonia, wife of Md. Yusuf
5. Md. Jallo @ Md. Jalil, son of late Babar Ali

all residents of village Jounia, P.S. Pranpur, district Katihar .. Petitioners

Versus

1.The State of Bihar
2. Anwari Khatoon, daughter of Md. Makbul, resident of village Kursanda, P.S. Pranpur, district Katihar .. Opposite Parties

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/2/ **20.10.2008** Heard the counsel for the petitioners and the State.

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2. Petitioners are related to one Mr. Jabir, who is alleged to have committed rape on the complainant. Allegation against these petitioners is that they supported Md. Jabir and kept the complainant in confinement on assurance that the marriage will be solemnized. Counsel for the petitioners submits that patently false case has been instituted on the basis of initially a complaint case subsequently on the direction of the Magistrate under Section 156(3) of the Criminal Procedure Code first information report was instituted and after investigation case

was found false and it was also recommended that a proceeding under Sections 182 and 211 of the Indian Penal Code be initiated against the informant, subsequently on the basis of protest cognizance has been taken against the petitioners.

3. Considering the facts, the prayer for grant of anticipatory bail on behalf of the petitioners, Md. Sado, Bibi Jasia Khatoon, Md. Yusuf, Bibi Sonia and Md. Jallo @ Md. Jalil, is **allowed**. They are directed to be released on anticipatory bail, on their surrender before the Court concerned within four weeks from today, on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with C.A. No. 2573 of 2007 to the satisfaction of the Sub Divisional Judicial Magistrate, Katihar, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

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(Mridula Mishra, J.)

S.A.